

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 8:23-cv-01199-FLA-MAA Date: May 28, 2025

Title Israel Gutierrez Zamora v. Bryan D. Phillips

Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Cindy Delgado  
Deputy Clerk

N/A  
Court Reporter / Recorder

Attorneys Present for Petitioner:  
N/A

Attorneys Present for Respondent:  
N/A

**Proceedings (In Chambers): Order to Show Cause Re: Dismissal for Lack of Prosecution**

On February 26, 2024, the Court granted Petitioner’s Motion for Stay and Abeyance pursuant to *Rhines v. Weber*, 544 U.S. 269 (2005) and ordered Petitioner to file status reports every sixty (60) days updating the Court about the progress of his habeas petitions in the California courts. (ECF No. 16, at 5.)<sup>1</sup> Petitioner’s most recent status report was received by the Court on February 24, 2025 (ECF No. 21), after the Court had issued an Order to Show Cause why the case should not be dismissed for failure to file the required status reports (ECF No. 20). In its order discharging the Order to Show Cause, the Court reminded Petitioner that he must continue to file Status Reports **EVERY SIXTY (60) DAYS** to update this Court about the status of his habeas proceedings in the California courts, and noted that, even if nothing had changed since the previous Status Report was filed, Petitioner must file another Status Report sixty (60) days after the previous Status Report was filed. (ECF No. 22.) The Court further ordered that Petitioner’s next Status Report was due no later than **May 1, 2025**. (*Id.*)

Petitioner has thus, once again, failed to file a status report as required by the Court. Petitioner is therefore ordered to show cause, in writing, no later than **June 30, 2025**, why this action should not be dismissed for lack of prosecution. If Petitioner files a status report on or before **June 30, 2025**, this Order to Show Cause will be discharged, and no additional action need be taken.

**Petitioner is cautioned that failure to respond to this Order may result in dismissal of the Petition without prejudice for failure to prosecute and/or failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See C.D. Cal. L.R. 41-1.**

It is so ordered.

<sup>1</sup> Pinpoint citations in this Order reference the page numbers generated by CM/ECF headers.